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CYTH.002DV4

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fraser, et al.  
 Appl. No. : 10/614,648  
 Filed : July 7, 2003  
 For : SYSTEMS AND METHODS FOR  
       TREATING PATIENTS WITH  
       PROCESSED LIPOASPIRATE  
       CELLS  
 Examiner : Lankford Jr., Leon B  
 Group Art Unit : 1651

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September 22, 2006

(Date)

Eric S. Furman, Ph.D., Reg. No. 45,664

INTERVIEW SUMMARY

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

The attached interview summary reflects the substance of the personal interview held  
 between Examiner Lankford and the undersigned on September 13, 2006.

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Filed : July 7, 2003

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#### SUMMARY OF INTERVIEW

Applicants wish to thank Examiner Lankford for the courtesy extended during the personal interview held on September 13, 2006 and the helpful comments made therein. During the interview between the undersigned and Examiner Lankford, the indefiniteness rejections 35 U.S.C. § 112, second paragraph, the written description rejections under 35 U.S.C. § 112, first paragraph, and the rejections under 35 U.S.C. § 103 raised in the Office Action mailed March 24, 2006 were discussed. The undersigned and the Examiner also discussed proposed claim amendments. The undersigned and the Examiner agreed that a proposed claim directed to a composition comprising a first component that comprises an unprocessed adipose tissue obtained from a patient mixed with a second component comprising a concentrated population of cells that comprises adipose stem cells, wherein said concentrated population of cells that comprises adipose stem cells is obtained from said patient would likely overcome the rejections of record.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 22, 2006

By: EF  
Eric S. Furman  
Registration No. 45,664  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

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091506

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## USPTO FACSIMILE TRANSMITTAL SHEET

Page 1 of 2

Docket No.: CYTH.002DV4

CUSTOMER NO. 20995

Applicant : Fraser, et al.  
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September 22, 2006

Eric S. Flamm, Ph.D., Reg. No. 45,664

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

Amendment/Response in ten (10) pages.  
 Non-Final  
 After Final  
 Interview Summary in two (2) pages.

## FILING FEES:

FEE CALCULATION				
FEETYPE		FEEDCODE	CALCULATION	TOTAL
3 Month Extension		1253 (\$1,020)		\$1,020
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by ½.				(\$510)
			<b>TOTAL FEE DUE</b>	<b>\$510</b>

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Krohbe Martens Olson & Bear LLP

Application No.: 10/614,648  
Filing Date: July 7, 2003

SEP 22 2006  
CUSTOMER NO. 20995

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

  
Eric S. Furman, Ph.D.  
Registration No. 45,664  
Attorney of Record  
Customer No. 20,995  
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